

Message Text

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ACTION SCA-01

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FM AMEMBASSY MEXICO
TO SECSTATE WASHDC 2390

UNCLAS MEXICO 08338

FOR SCA

EO 11652:NA
TAGS: CASC, MX
SUBJECT: REVISION OF ATTORNEY LIST FOR MEXICO CITY

1. EMBASSY IS REVISING LIST OF ATTORNEYS FOR MEXICO CITY, PRIMARILY TO ADD NAMES OF REPUTABLE ATTORNEYS WHO WILL HANDLE CRIMINAL CASES (INCLUDING NARCOTIC OFFENSES), AND WISHES TO INCLUDE A STRONGER THAN NORMAL WARNING AND DISCLAIMER OF RESPONSIBILITY.

2. BECAUSE OF THE SERIOUS PROBLEM OF "COYOTE" (AMBULANCE CHASER) ATTORNEYS IN MEXICO, EMBASSY BELIEVES PERSONS WISHING TO ENGAGE LOCAL ATTORNEYS SHOULD BE GIVEN FULLEST POSSIBLE ADVICE. ACCORDINGLY, EMBASSY REQUESTS DEPARTMENT'S CONCURRENCE IN FOLLOWING NOTICE BEING ATTACHED TO THE NEW LIST.

BEGIN QUOTE

THE EMBASSY HAS BEEN ADVISED OF SERIOUS IMPROPRIETIES COMMITTED BY CERTAIN CRIMINAL LAW ATTORNEYS, WHOSE SERVICES HAVE BEEN USED IN THE PAST BY AMERICAN CITIZENS. SUCH IMPROPRIETIES INCLUDE EXCESSIVE FEES AND UNAUTHORIZED

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TELEPHONE CALLS TO FAMILY AND FRIENDS REQUESTING VARYING SUMS OF MONEY TO FACILITATE EARLY RELEASE AND TO ESCAPE INDICTMENT AND TRIAL. EXPERIENCE HAS SHOWN THAT SUCH PAYMENTS, OFTEN MADE TO INDIVIDUALS WHO ARE NOT IN FACT LICENSED ATTORNEYS, HAVE RESULTED IN FINANCIAL LOSS TO THE FAMILY OR FRIENDS CONCERNED WITHOUT PROVIDING THE PROMISED RESULTS. ANY PERSON REQUIRING LEGAL REPRE-

SENTATION SHOULD EXERCISE GREAT CARE IN SELECTING AN ATTORNEY. THE EMBASSY ENDEAVORS TO LIST ONLY THOSE ATTORNEYS WHOSE CREDENTIALS AND PAST PERFORMANCE INSPIRE CONFIDENCE, BUT IT IS NOT IN A POSITION TO VOUCH FOR THE PROFESSIONAL COMPETENCE OR INTEGRITY OF ANY LISTED ATTORNEY AT LAW. THE ABSENCE OF AN ATTORNEY'S NAME IN NO WAY IMPLIES THAT HE MAY BE UNRELIABLE. IF YOU ARE INTERESTED IN EMPLOYING AN ATTORNEY WHOSE NAME HAS COME TO YOUR ATTENTION BUT WHO IS NOT LISTED, THE EMBASSY WILL, UPON REQUEST, PROVIDE WHATEVER GUIDELINES MAY SEEM APPROPRIATE. END QUOTE.

3. RECOGNIZING THE DIFFICULTY IN OBTAINING RESPONSIBLE LEGAL REPRESENTATION IN MEXICO, AND AWARE THAT EXTORTION IS OFTEN PRACTICED BY UNSCRUPULOUS LAWYERS AGAINST FAMILY AND FRIENDS OF AN ARRESTEE, THE EMBASSY BELIEVES THERE IS SUFFICIENT NEED AND JUSTIFICATION TO ISSUE WITH ITS LIST OF ATTORNEYS A STRONGER WARNING NOTICE AND DISCLAIMER OF RESPONSIBILITY THAN IS USUALLY INCLUDED ON SUCH PUBLICATIONS. IN THE COURSE OF IDENTIFYING SUITABLE LEGAL REPRESENTATION FOR AMERICAN ARRESTEES, THE EMBASSY HAS GATHERED CONSIDERABLE INFORMATION FROM CONCERNED PRISONERS AND RESPECTABLE LEGAL SOURCES ABOUT LAWYERS USED IN THE PAST. SOME OF THIS INFORMATION IS FAVORABLE. MUCH OF IT IS UNFAVORABLE, HOWEVER, AND SUGGESTS THAT MANY LAWYERS ARE GENERALLY INCOMPETENT BOTH IN DEVELOPING AND SUBMITTING PROPER EVIDENCE IN A CASE AND IN PREPARING LEGAL MEMORANDA IN SUPPORT OF THEIR ARGUMENTS IN DEFENSE OF THEIR CLIENTS.

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4. THE EMBASSY WILL CONTINUE TO MAINTAIN A FILE ON LAWYERS FROM WHICH REPORTS ON LAWYERS WOULD BE DEVELOPED. THE EMBASSY WOULD PASS ON THE INFORMATION AS RECEIVED WITH A DISCLAIMER THAT IT IS NOT FIRST-HAND INFORMATION.

5. WHILE PROBLEMS OF THIS PROPOSAL ARE RECOGNIZED, THE EMBASSY WOULD HOPE THE DEPARTMENT MIGHT OVERCOME THEM IN ORDER TO PROVIDE THE ASSISTANCE PROPOSED IN WHAT IS ONE OF OUR MORE SERIOUS PROBLEMS WITH AMERICANS ARRESTED IN MEXICO. CALDERHEAD

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